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10 Attorneys for Defendant
11 APPLE INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 **FREDRICK BLACK,**

16 **Plaintiff,**

17 **v.**

18 **APPLE INC.,**

19 **Defendant.**

Case No. C 07-05402 JCS

**STIPULATION OF VOLUNTARY
DISMISSAL PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)**

1 IT IS HEREBY STIPULATED that the above captioned action is voluntarily dismissed
2 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1). Each party shall bear their
3 own fees and costs.
4

5 Dated: November 19, 2007

TRIPP SCOTT

6
7 By: 
8 William T. Cotterall

9 Attorneys for Plaintiff FREDRICK BLACK
10
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12

13 Dated: November 19, 2007

JONES DAY

14
15 By: /s/ Robert A. Mittelstaedt
16 Robert A. Mittelstaedt

17 Attorneys for Defendant APPLE INC.
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SAN JOSE DIVISION

FREDRICK BLACK,

Plaintiff,

v.

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**PROOF OF SERVICE ON
NON-EFILING PARTIES**

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 California Street, 26th Floor, San Francisco, California 94104. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On November 19, 2007, I served true and correct copies of the following document(s):

**STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 41(a)(1)**

1 ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set
2 forth below on this date before 5:00 p.m.

3 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
4 fully prepaid, in the United States mail at San Francisco, California addressed as
set forth below.

5 ☐ by placing the document(s) listed above in a sealed _____ envelope and
6 affixing a pre-paid air bill, and causing the envelope to be delivered to a
agent for delivery.

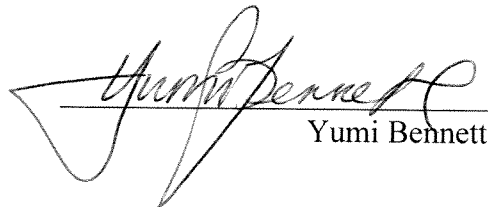
7 ☐ by personally delivering the document(s) listed above to the person(s) at the
8 address(es) set forth below.

9 William T. Cotterall, Esq.
10 TRIPP, SCOTT, P.A.
11 110 S.E. Sixth Street, 15th Floor
Fort Lauderdale, FL 33301

12 I am readily familiar with the firm's practice of collection and processing correspondence
13 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same
14 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
15 motion of the party served, service is presumed invalid if postal cancellation date or postage
16 meter date is more than one day after date of deposit for mailing in affidavit.

17 I declare under penalty of perjury under the laws of the State of California that the above
18 is true and correct.

19 Executed on November 19, 2007, at San Francisco, California.

20 
21 _____
22 Yumi Bennett
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